

MAR 03 2006

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MERGED REISSUE AND REEXAMINATION PROCEEDINGS

Attorney Docket No.: 1915.17US03
Reissue Application No.: 10/805,686
Confirmation No.: 8616
Filed: 19 March 2004

Attorney Docket No.: 1915.17US05
Reexamination Control No.: 90/007,487
Confirmation No.: 5214
Filed: 29 March 2005

Examiner: Naoko N. Slack
Group Art Unit: 2800

In re the application of: Richard J. Morris
For: ROOF BATTEN

NOTIFICATION OF CONCURRENT PROCEEDING

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

U.S. Patent No. 6,357,193 ("the '193 Patent") is currently asserted against Battens Plus, Inc. in a patent infringement action in the United States District Court of Utah, Central Division. Diversi-Plast Products, Inc. v. Battens Plus, Inc., Civil Action No: 2:04-CV-01005 PGC. See Patent Owner's previous filing of March 14, 2005. The patent infringement action has not been stayed by the court.

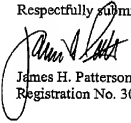
Defendant Battens Plus has now asserted new claims in its interrogatory responses in the above-referenced litigation alleging fraud and inequitable conduct, as well as invalidity of the '193 Patent. Relevant portions of Defendant's original and supplemental interrogatory responses are provided herewith as Attachment A.

This Notification is provided by the Patent Owner in compliance with 37 C.F.R. §§ 1.56, 1.178 and M.P.E.P. § 2001.06(c) and does not constitute agreement with or an admission as to

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the competence or veracity of the legal or factual allegations raised by Defendant Battens Plus in the pending patent infringement litigation.

Respectfully submitted,



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Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 1-571-273-8300 on the date shown below.

March 3, 2006
Date



James H. Patterson